

torney, the compensation of said special bailiffs to be ninety dollars (\$90.00) per month, payable monthly, to each of such bailiffs; and provided further, that the deputy sheriff shall not receive pay as bailiff."

Sec. 4. "The fact that there is now on the statute books no law providing for special bailiffs to do special work for the district attorney in counties containing a population of 100,000 or more, and the growth of population and increased crime in such communities make it necessary to use every means possible to make quick investigation of offenses and bring about quick prosecutions, and make it necessary to have a force of men available to do special work in that connection, and the limited time in which the Legislature will be in session, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

#### SEVENTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, May 11, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Henderson.	Suiter.
Hopkins.	Westbrook.
Hudspeth.	Woodward.

Absent.

Harley.

Absent—Excused.

Alderdice.

Hall.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

#### Executive Session.

The Chair announced that the hour, 10:05 o'clock a. m. heretofore set for the Senate to go into executive session, had arrived, and directed the Chamber cleared of all persons not entitled to remain.

In executive session, the Secretary reported to the Journal Clerk, the following appointments by the Governor were confirmed:

Hon. A. L. Robbins of Red River County, appointed March 31, 1917, as district attorney for the Sixth Judicial District of Texas, in place of Hon. J. R. Kennedy, deceased;

Hon. Ben G. Smith of Pecos County, appointed March 27, 1917, as district attorney of the Eighty-third Judicial District of Texas;

Captan Jos. Weikerth of Harris County, appointed April 2, 1917, as branch pilot for the Port of Houston, in place of Captain Allien, deceased;

Captain H. H. Haden of Brazoria County, appointed March 19, 1917, as branch pilot for the mouth of Brazos River;

Hon. Robert M. Liles of Milam County, appointed April 4, 1917, as a member of the State Mining Board, in place of Hon. J. K. Freeman, resigned;

Hon. F. M. Law of Harris County, appointed April 4, 1917, as a member of the board of managers of A. & M. College in place of Hon. Thomas E. Battle, resigned;

Hon. J. Llewellyn of Montgomery County, as judge of the Seventy-fifth Judicial District of Texas, appointed April 13, 1917;

Hon. Dan Harrison of Liberty County, appointed April 13, 1917; as district attorney for the Seventy-fifth Judicial District of Texas;

Hon. Frank Swor of Tarrant County, to be Labor Commissioner of the State of Texas.

#### In the Senate.

(10:30 o'clock a. m.)

#### Petitions and Memorials.

See Appendix.

### Committee Reports.

See Appendix.

### Bills and Resolutions.

By Senator Caldwell:

S. B. No. 64, A bill to be entitled "An Act to amend Chapter 189, of the General Laws passed by the Thirty-fifth Legislature of the State of Texas, 1917, entitled 'An Act to amend Section 8, Chapter 119, of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-second Legislature of the State of Texas, 1911,' relating to official shorthand reporters compensation in certain counties, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

### Senate Concurrent Resolution No. 16.

By Senator McCollum:

Granting Hon. Erwin John Clark, Judge of the Seventy-fourth Judicial District of Texas, leave of absence from the 7th day of May, 1917 to the 7th day of August, 1917, for the purpose of attending the Military Training Camp at Leon Springs, Texas.

Be it resolved by the Senate, the House of Representatives concurring, that the Honorable Erwin John Clark, Judge of the Seventy-fourth Judicial District of Texas, be and is hereby granted a leave of absence from his district from May 7, 1917 to August 7, 1917, for the purpose of attending the Military Training Camp at Leon Springs, Texas.

The resolution was read and adopted.

Morning call concluded.

### Senate Bill No. 16.

The Chair laid before the Senate as pending special order of business on second reading:

S. B. No. 16, A bill to be entitled "An Act to authorize an extension of the contracts made with various book companies by the State of Texas to furnish school books for the public schools and which contracts terminate under the terms of the same on August 31, 1919, for a period of one year from that date; pro-

viding for said extension to be made by the Board of Education of the State of Texas on or before June 1, 1918," etc.

The question being upon the substitute by Senator Dean to the amendment by Senator Buchanan of Scurry to the amendment by Senator Bee.

By unanimous consent, the substitute and amendment to the amendment were both withdrawn.

Senator Buchanan of Scurry offered the following amendment to the amendment:

(1) Amend the amendment by adding after the word "years" in line 18, page 3, the following:

Provided no book or books in the present list of State Adopted Text-books shall be changed if the contractor furnishing same will when said Commission meets agree to enter into contract and bond to continue to furnish such book or books at the price and of the quality and upon the conditions specified in the current contract for a period of time not less than one year and not more than six years, as may be determined by the Commission.

Senator Dean moved the previous question on the adoption of the amendment to the amendment, which being duly seconded was ordered.

The amendment to the amendment was adopted.

Senator Dayton offered the following amendment to the pending amendment:

Amend the amendment by adding thereto: "Provided further, that at no time during the existence of this law shall it be lawful for the 'Text-book Commission' hereby created to change more than one subject of text in any one year. And provided further, that no change shall be made in the books embracing what is known as the exact sciences, so long as the publishers shall keep said books up to standard."

On motion of Senator McNealus the amendment to the amendment was tabled.

Senator Henderson offered the following amendment to the pending amendment:

Amend the printed bill page one, by adding between the words "persons" and "to be appointed" the following: "at least one of whom shall

be a woman, and one of whom shall have had at least three years' experience in teaching in schools below the high schools within the past five years."

Senator Strickland offered the following substitute for the foregoing amendment to the amendment:

(2) Amend the pending amendment, page 1, Section 1, by striking out everything after the word "follow" in line 22 down to and including all of line 28 and insert in lieu thereof the following:

"The State Superintendent of Public Instruction, the President of the College of Industrial Arts and the President of the South West Texas State Normal, acting together as a committee, shall at a date not later than the 1st day of August 1918 and biennially thereafter submit to the Governor of this State the names of thirty teachers of recognized scholarship and professional standing who have been actively and continuously engaged in teaching or supervising in the public schools of this State for the past five years and who have primary permanent or permanent certificates. Said thirty teachers shall represent as nearly as possible every phase of the public school work, and it shall be the duty of the Governor to select seven therefrom who shall with the Governor and the Superintendent of Public Instruction constitute the text book commission of this State."

Senator Henderson made the point of order that the substitute is not germane to the amendment to the amendment.

The point of order was overruled.  
Substitute amendment pending.

#### Recess.

At 12:25 o'clock p. m., on motion of Senator McNealus, the Senate recessed until 2:30 o'clock today.

#### After Recess.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Hobby.

#### At Ease.

By unanimous consent and on request of Senator Westbrook, the Senate was at ease for 10 minutes.

#### In the Senate.

(Lieutenant Governor Hobby in the chair.)

#### Messages from the House.

Hall of the House of Representatives.  
Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 14, A bill to be entitled "An Act making an appropriation of seven hundred and fifty thousand dollars or so much thereof as may be necessary out of the general revenue or any other available funds, for the purpose of providing for the pay, transportation, subsistence and all other expenses of the military forces of the State when ordered on duty or when mobilized or when recruiting and organizing troops or when ordered on other military duties; providing for the pay, transportation and expense of officers on active duty or while serving on military courts or boards; providing for mileage and per diem and expenses of witnesses appearing before military courts and boards; providing for armory and storage facilities and organizations; providing for training, organizing, mobilizing and subsisting, paying, equipping, preparing for muster into and out of Federal service; providing for organizing, maintaining and equipping school of instruction for officers or enlisted men; providing for books and supplies; providing for necessary chemical assistance and labor in storage rooms, arsenals, armories and headquarters; providing for transportation of stores and supplies and laundry and repair of uniforms and equipment, and for hire, purchase, transportation and subsistence of animals, and for printing, stationery, postage, telephoning, telegraphing, and for purchase of stores, supplies, uniforms, arms and equipment; providing the pay for Adjutant General, chief clerk, stenographer, porter and other additional help in

the Adjutant General's Department, and for stationery, printing, postage and other expenses of that department; providing for all other military expenses of whatsoever character; providing how accounts drawn against this fund shall be made out and by whom approved, and declaring an emergency," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives.  
Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 69, A bill to be entitled "An Act to provide an annual vacation to paid firemen in cities of 30,000 inhabitants or over; providing that the city official having supervision of the fire department shall designate the days each fireman is to be on vacation; prescribing the penalties for the violation thereof; repealing Chapter 185 of the Acts of the Regular Session of the Thirty-fifth Legislature, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives.  
Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 43, A bill to be entitled "An Act adding to and making a part of the Reagan Independent School District in Falls County, Texas, including the town of Reagan, certain lands and territory thereto, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives.  
Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 13, A bill to be entitled

"An Act making appropriations to pay the salaries of officers and employees of certain educational institutions and other expenses of maintaining and conducting them, as follows, to wit: University of Texas, including Medical Department at Galveston and School of Mines at El Paso. Agricultural and Mechanical College, State Forestry, Experimental and sub-stations, Prairie View Normal, College of Industrial Arts, Sam Houston Normal Institute, North Texas State Normal, Southwest Texas Normal School, West Texas Normal School, Texas School for the Blind, and Deaf and Dumb Institute, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair (Lieutenant Governor Hobby) had referred, after their captions had been read, the following House bills:

H. B. No. 43, referred to the Committee on Educational Affairs.

H. B. No. 13, referred to the Committee on Finance.

H. B. No. 69, referred to the Committee on Towns and City Corporations.

#### Message from the Governor.

Here the following message from the Governor was received and laid before the Senate:

Governor's Office,

Austin, Texas, May 11, 1917.

To the Thirty-fifth Legislature in Called Session.

I hereby submit for your consideration a bill, hereto attached, being an Act to amend Chapter 189 of the General Laws passed by the Thirty-fifth Legislature of the State of Texas, 1917, entitled "An Act to amend Section 8, Chapter 119 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-second Legislature of the State of Texas, 1911," relating to official shorthand reporters' compensation in certain counties.

Respectfully submitted,

JAS. E. FERGUSON,  
Governor of Texas.

(President Pro Tem. Suiter in the chair.)



**Senate Bill No. 14—House Amendments Concurred in.**

Senator Dayton called up for consideration of House amendments to:

S. B. No. 14, A bill to be entitled "An Act making appropriation of seven hundred and fifty thousand dollars for the purpose of providing for the military forces of this State, etc."

The following House amendments were laid before the Senate and read:

Amend Senate Bill No. 14, page 3, by adding after Section 1, the following:

Provided that none of the funds herein appropriated shall be expended for equipment, training, organizing, mobilizing, transporting, subsisting, paying, purchasing equipment for, and mustering into the Federal service of any additional State troops until the units are designated to the proper State authorities by the proper authorities of the Federal Government, and provided further, that no part of the amount herein appropriated shall be in any wise spent for the Ranger service.

Amend Senate Bill No. 14 by adding after Section 2, page 3, line 18, the following: "and the Comptroller of Public Accounts shall not issue warrants upon the State Treasury for any moneys expended under this Act until said itemized accounts have been filed in the Comptroller's office."

On motion of Senator Dayton the foregoing amendments were adopted by the following vote:

Yeas—26.

Balley.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Nays—1.

Lattimore.

Absent.

Harley.

McCollum.

Absent—Excused.

Alderdice.

Hall.

**Bill Signed.**

The Chair (Lieutenant Governor Hobby) gave notice of signing and did sign, in the presence of the Senate, after its caption had been read, the following:

S. B. No. 14, A bill to be entitled "An Act making an appropriation of one million dollars or so much thereof as may be necessary out of the general revenue or any other available funds for the purpose of providing for the pay, transportation, subsistence and all other expenses of the military forces of the State when ordered on duty or when mobilized or when recruiting and organizing troops or when ordered on military duty, etc., and declaring an emergency."

**Senate Bill No. 16.**

The Chair laid before the Senate, pending business, Senate Bill No. 16, the textbook bill, the question being upon the adoption of the substitute by Senator Strickland for the amendment of Senator Henderson to the pending amendment by Senator Bee.

Senator Henderson moved to table the substitute, which motion was lost by the following vote:

Yeas—11.

Bee.	Hopkins.
Caldwell.	Hudspeth.
Clark.	King.
Dayton.	Page.
Gibson.	Parr.
Henderson.	

Nays—13.

Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Robbins.
Dean.	Smith.
Decherd.	Suiter.
Floyd.	Westbrook.
Johnston of Harris.	Woodward.
Lattimore.	

Absent—Excused.

Hall.

Pairs Recorded.

Senator Strickland (present), who

would vote "nay;" Senator Harley (absent), who would vote "yea."

Senator Bailey (present), who would vote "yea;" Senator Alderdice (absent), who would vote "nay."

Senator Johnson (present), who would vote "nay;" Senator McCollum (absent), who would vote "yea."

Action recurred upon the adoption of the substitute of Senator Strickland for the amendment of Senator Henderson, and the same prevailed by the following vote:

Yeas—13.

Buchanan of Bell. McNealus.  
Buchanan of Scurry. Robbins.  
Dean. Smith.  
Decherd. Sulter.  
Floyd. Westbrook.  
Johnston of Harris. Woodward.  
Lattimore.

Nays—11.

Bee. Hopkins.  
Caldwell. Hudspeth.  
Clark. King.  
Dayton. Page.  
Gibson. Parr.  
Henderson.

Absent—Excused.

Hall.

Pairs Recorded.

Senator Strickland (present), who would vote "yea;" Senator Harley (absent), who would vote "nay."

Senator Bailey (present), who would vote "nay;" Senator Alderdice (absent), who would vote "yea."

Senator Johnson (present), who would vote "yea;" Senator McCollum (absent), who would vote "nay."

The amendment as substituted was then adopted.

Senator Henderson offered the following amendment to the pending amendment by Senator Bee:

(3) Amend the amendment as amended by substituting amendment No. 2 by adding in Section 4, after the words "Superintendent of Public Instruction constitute the Textbook Commission of this State" the following:

Provided, that at least two of those who are selected to serve on the Board shall be women; and provided further, that one member of said Board shall have had at least three years' experience in teaching in the

schools of Texas below the high schools within the past five years.

Senator McNealus made the point of order that the amendment is the same in substance as that offered by Senator Henderson and rejected by the Senate this afternoon, and for that reason is not in order.

The point of order was overruled.

Action recurred upon the adoption of the amendment, and the same was adopted by the following vote:

Yeas—16.

Bee. King.  
Buchanan of Scurry. Lattimore.  
Clark. Page.  
Dayton. Parr.  
Floyd. Smith.  
Gibson. Strickland.  
Henderson. Westbrook.  
Hopkins. Woodward.

Nays—9.

Buchanan of Bell. Johnston of Harris.  
Caldwell. McNealus.  
Dean. Robbins.  
Decherd. Sulter.  
Hudspeth.

Absent.

Harley.

Absent—Excused.

Hall.

Pairs Recorded.

Senator Johnson (present), who would vote "nay;" Senator McCollum (absent), who would vote "yea."

Senator Bailey (present), who would vote "nay;" Senator Alderdice (absent), who would vote "yea."

Senator Caldwell offered the following amendment to the amendment by Senator Bee:

(4) Amend Section 1 of the bill as amended by adding after the words "president of the Southwest Texas State Normal" the following: "the president of the University of Texas and the Superintendent of Public Instruction."

CALDWELL,  
DECHERD,  
HOPKINS.

Senator McNealus moved to table the amendment, which motion was lost by the following vote:

Yeas—3.

Buchanan of Bell. Strickland.  
McNealus.

## Nays—22.

Bee.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Gibson.	Smith.
Henderson.	Suiter.
Hopkins.	Westbrook.
Hudspeth.	Woodward.

Present—Not Voting.

Bailey. Floyd.

Absent.

Harley. McCollum.

Absent—Excused.

Alderdice. Hall.

Action recurred upon the amendment and the same was adopted.

Senator Dayton offered the following amendment to the amendment:

(5) Amend the amendment as amended Section 4 by adding thereto the following:

"Provided, that it shall not be lawful for the Textbook Commission hereby created to change the books in more than one subject of text in any one year; and provided further, that persons holding present contracts shall continue to furnish said books of as good quality and as low price as at present, and upon the same conditions as contained in existing contracts."

DAYTON,  
GIBSON.

Senator McNealus made the point of order that the amendment is the same in substance as one offered by Senator Dayton and tabled this morning by vote of the Senate.

The point of order was overruled.

Action recurred upon the amendment and the same was adopted by the following vote:

## Yeas—12.

Bee.	Hudspeth.
Dayton.	Page.
Dean.	Parr.
Floyd.	Smith.
Gibson.	Suiter.
Henderson.	Woodward.

## Nays—10.

Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McNealus.
Caldwell.	Robbins.
Hopkins.	Strickland.
Johnston of Harris.	Westbrook.

Present—Not Voting.

Clark. King.

Decherd.

Absent.

Harley.

Absent—Excused.

Hall.

Pairs Recorded.

Senator Johnson (present), who would vote "nay;" Senator McCollum (absent), who would vote "yea."

Senator Bailey (present), who would vote "yea;" Senator Alderdice (absent), who would vote "nay."

Senator Strickland offered the following amendment:

(6) Amend Section 1 of the bill as amended by striking out the words "Superintendent of Public Instruction" where it appears after the words "president of the University of Texas" and insert in lieu thereof the words "president of the A. & M. College."

STRICKLAND,  
CALDWELL.

Senator Westbrook moved to table the amendment, which motion was lost.

The amendment was then adopted.

Senator Dean offered the following amendments, which were read and adopted, being voted upon separately:

(7) Amend the amendment, Section 14, page 9, by adding after the words "United States" in line 13 the following:

And all contracts with publishers for the furnishing of books hereunder shall further stipulate and bind such publishers that they will not hereafter during the life of the respective contracts furnish or offer to furnish the same book or books under contract with any other State, county or school district in the United States at a lower price than that at which said publishers agree to furnish the same books under the contracts executed pursuant to this Act, unless such publishers respectively shall immediately give such lower price to

the beneficiaries of the contracts executed hereunder.

(8) Amend the amendment, Section 14, page 9, line 12, by striking out the words "and distribute."

(9) Amend the amendment, Section 28, page 15, line 26, by adding after the words "such fraud" the following: "Collusion or material breach."

(10) Amend the amendment, Section 14, page 9, by striking out all of said section after the words "State of Texas," line 28 thereof, and inserting the following: "and for the breach of any of the conditions and stipulations contained herein or in the respective contracts, the contract may be forfeited and the contractors shall be liable to the State of Texas in liquidated damages in the full amount of the bond; and it shall be the duty of the Attorney General to bring suit on the bond of such contractors for such liquidated damages as provided for in Section 28 hereof."

Senator Hudspeth offered the following amendment:

(11) Amend the amendment by adding at the end of line 24, page 4, the following:

The Commission as herein provided for shall adopt textbooks in accordance with provisions of this Act for every public free school in this State and no public free school in this State shall use any textbook unless same has been previously adopted by this Commission.

DAYTON,  
HENDERSON,  
HUDSPETH.

Senator Decherd offered the following substitute for the pending amendment:

The Commission as herein provided for shall adopt textbooks in accordance with the provisions of this Act, and no public free school in this State shall use any book as a basal text unless same has been adopted by this Commission.

Senator Hudspeth moved to table the substitute, which motion prevailed by the following vote:

Yeas—13.

Bee.	Hudspeth.
Caldwell.	Johnson of Hall.
Clark.	Parr.
Dayton.	Robbins.
Gibson.	Smith.
Henderson.	Westbrook.
Hopkins.	

Nays—9.

Buchanan of Bell.	Page.
Decherd.	Strickland.
Johnston of Harris.	Suiter.
Lattimore.	Woodward.
McNealus.	

Present—Not Voting.

Bailey.	Dean.
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Absent.

Buchanan of Scurry.	King.
Floyd.	McCollum.
Harley.	

Absent—Excused.

Alderdice.	Hall.
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Action recurred upon the amendment of Senator Hudspeth and the same was adopted.

Senator Lattimore offered the following amendment.

(12) Amend the amendment as amended in Section 1 by striking out the words and figures "30" in fixing the number of names to be submitted to the Governor by the State Superintendent of Public Instruction, president of A. & M. College, president of Southwestern State Normal College, president of the State University, and president of College of Industrial Arts, and inserting in lieu thereof the words and figures "fifteen (15)."

Senator Clark moved to table the amendment, which motion was lost by the following vote:

Yeas—12.

Bee.	Hopkins.
Caldwell.	Hudspeth.
Clark.	McCollum.
Dayton.	Page.
Gibson.	Parr.
Henderson.	Smith.

Nays—12.

Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Dean.	McNealus.
Decherd.	Suiter.
Floyd.	Westbrook.
Johnson of Hall.	Woodward.

Absent—Excused.

Hall.

Pairs Recorded.

Senator Robbins (present), who



would vote "nay;" Senator King (absent), who would vote "yea."

Senator Strickland (present), who would vote "yea;" Senator Harley (absent), who would vote "nay."

Senator Bailey (present), who would vote "yea;" Senator Alderdice (absent), who would vote "nay."

Action recurred upon the amendment, which was adopted by the following vote:

Yeas—13.

Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Dean.	McNealus.
Decherd.	Suiter.
Floyd.	Westbrook.
Henderson.	Woodward.
Johnson of Hall.	

Nays—11.

Bee.	Hudspeth.
Caldwell.	McCollum.
Clark.	Page.
Dayton.	Parr.
Gibson.	Smith.
Hopkins.	

Absent—Excused.

Hall.

Pairs Recorded.

Senator Robbins (present), who would vote "yea;" Senator King (absent), who would vote "nay."

Senator Bailey (present), who would vote "nay;" Senator Alderdice (absent), who would vote "yea."

Senator Strickland (present), who would vote "yea;" Senator Harley (absent), who would vote "nay."

Senator Bailey offered the following amendment:

Amend the amendment, No. 1, to Senate Bill No. 6, Section 1, by inserting a new sentence at the end thereof as follows: "Should any vacancy occur in the membership of the Commission through death, resignation or otherwise, it shall be the duty of the official making the appointment in the first place to fill said vacancy by appointing some person qualified under the provisions of this Act to serve out the unexpired term."

Senator Strickland offered the following substitute for the amendment:

(13) Amend Senate Bill No. 16 as amended by adding to Section 1,

page 2, line 4, after the words "Textbook Commission" the following: "Any vacancy occurring on said Board from any cause shall be filled by appointment by the Governor from the list of teachers submitted under the provisions of this Act."

The substitute was adopted.

The amendment as substituted was then adopted.

Senator Caldwell offered the following amendments, which were read and adopted, being voted upon separately:

(14) Amend the pending amendment, page 9, line 3, by inserting after the word "until" the words "the full amount thereof is recovered and the Texas State Textbook Commission may."

(15) Amend pending amendment, page 8, line 1, by inserting after the word "adopted" the following: "by the State and then in the hands of the patrons of the public schools when offered in exchange for the new books adopted."

(16) Amend pending amendment, page 9, lines 6 and 7 and line 27, and page 13, line 11, by striking out the words "State Board of Education" and insert in lieu thereof the words "Texas State Textbook Commission."

(17) Amend pending amendment, page 10, line 17, by striking out the word "in" and insert the word "or" in lieu thereof.

(18) Amend pending amendment, page 15, lines 2 and 3, by striking out the words "Section 1 of" and insert in lieu thereof the words "any provision of."

(19) Amend pending amendment, page 8, line 21, by striking out the word "provisions" and insert in lieu thereof the word "revisions."

(20) Amend pending amendment, page 8, line 26, by striking off the letter "s" on the word "books."

(21) Amend pending amendment, page 6, line 18, by striking out the words "affidavit required in Section 1 of" and insert in lieu thereof the words, "affidavits required in."

(22) Amend pending amendment, page 5, line 28, by inserting after the words "in which" the following words: "Notices of the time and place of such selection shall be set out and thus."

(23) Amend pending amendment, page 2, by adding at the end of line 30 the words: "And that he will not become so interested and will

not accept any position as agent or representative of any person, firm or corporation who may submit any books for adoption or to whom any contract may be awarded by said Board during the term and duration of said contract."

Senator Westbrook offered the following amendment, which was read and adopted:

(24) Amend the bill by adding after the word "made" in line 10, page 14, the following: "Provided that said Commission shall not contract for any book of which any member of the nominating committee, or any member of said Commission is or may be author."

Senator Dean offered the following amendment, which was read and adopted:

(25) Amend the amendment by adding at the end of Section 3 thereof and as a part of said Section 3 the following:

The Commission shall keep a minute book of its proceedings and on every action of the Commission an "aye" and "nay" vote of the members thereof shall be required, and such minute book shall be kept in the office of the Superintendent of Public Instruction, and shall be open to public inspection, and no adopted text at any time shall be superseded or substituted except by the affirmative vote of two-thirds of the members of the Commission present and voting.

Action then recurred upon the pending amendment as amended (the same being Senate Bill No. 6) and the same was adopted.

Senator Bee offered the following amendment, which was read and adopted:

(2) Amend the caption of Senate Bill No. 16 by striking out all of line 8 to line 22, inclusive, and inserting in lieu thereof the following:

An Act to create a permanent Textbook Commission; defining its membership and appointment; authorizing the adoption of a system of uniform textbooks in this State; providing the manner in which revisions of adopted texts may be made; to prohibit lobbying before the Commission by legal and special representatives of authors or publishers; to prescribe rules and regulations for the Commission in entering into contracts with schools of the State; to

prescribe penalties for violation of the provisions of this Act; to provide for the enforcement of contracts; to make an appropriation to carry into effect the provisions of this Act, and declaring an emergency.

Senator Dean moved the previous question on the engrossment of Senate Bill No. 16, which being duly seconded, was so ordered.

The bill was read second time and passed to engrossment.

Senator Bee moved that the constitutional rule requiring bills to be read on three several days be suspended and Senate Bill No. 16 put on its third reading and final passage.

The motion was lost by the following vote:

Yeas—15.

Bailey.	Hudspeth.
Bee.	McCollum.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Clark.	Robbins.
Dayton.	Smith.
Henderson.	Westbrook.
Hopkins.	

Nays—12.

Buchanan of Bell.	Johnston of Harris.
Dean.	Lattimore.
Decherd.	McNealus.
Floyd.	Strickland.
Gibson.	Sulter.
Johnson of Hall.	Woodward.

Absent.

Harley.	King.
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Absent—Excused.

Alderdice.	Hall.
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### Senate Bill No. 62.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 62, A bill to be entitled "An Act to create a more efficient road system for Fannin County, Texas, making county commissioners ex officio road commissioners and providing for their compensation and defining their powers and duties; providing for working hands on public roads who fail to pay road tax as provided for; providing for working roads by contract if court so deter-

mines, providing for county road superintendent at the discretion of the commissioners' court, etc.; repealing all special laws heretofore granted to Fannin County in conflict with the provisions of this Act; granting to Fannin County further powers for the construction, supervision, protection, working, maintenance and care of the public roads of said county, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Gibson, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 62 put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Henderson.	Sulter.
Hudspeth.	Westbrook.
Hopkins.	Woodward.

Absent.

Decherd.	King.
Harley.	

Absent—Excused.

Alderdice.	Hall.
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The bill was laid before the Senate, read third time and, on motion of Senator Gibson, was passed by the following vote:

Yeas—27.

Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Sulter.
Henderson.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Absent.

Harley.	King.
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Absent—Excused.

Alderdice.	Hall.
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### Senate Bill No. 8.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 8, A bill to be entitled "An Act to appropriate out of the general revenue, not heretofore appropriated, the sum of twenty-seven hundred and forty-nine dollars and eighty-seven cents (\$2,749.87), or so much thereof as may be necessary to defray the expenses of the Employers' Liability Act by the Industrial Accident Board in carrying out the provisions of that Act as amended by Senate bill No. 237 passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, such expenses to be for the fiscal year ending August 31, 1917, and declaring an emergency."

The committee report recommending a substitute bill was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 8 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Sulter.
Henderson.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Absent.

Harley.	King.
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Absent—Excused.

Alderdice.	Hall.
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The bill was laid before the Senate, read third time and, on motion of Senator Hudspeth, was passed by the following vote:

Yeas—24.

Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Henderson.	Westbrook.

Nays—2.

McNealus. Sulter.

Absent.

Harley. Woodward.  
King.

Absent—Excused.

Alderdice. Hall.

#### House Bill No. 56.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 56, A bill to be entitled "An Act creating the Kenedy Independent School District in Karnes County, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 56 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Floyd.
Bee.	Harley.
Buchanan of Bell.	Henderson.
Buchanan of Scurry.	Hopkins.
Caldwell.	Hudspeth.
Clark.	Johnson of Hall.
Dayton.	Johnston of Harris.
Dean.	King.
Decherd.	Lattimore.

McNealus.	Strickland.
Page.	Sulter.
Parr.	Westbrook.
Robbins.	Woodward.
Smith.	

Absent.

McCollum.

Absent—Excused.

Alderdice.	Hall.
Gibson.	

The bill was laid before the Senate, read third time and, on motion of Senator Bailey, was passed finally.

Senator Bailey moved to reconsider the vote by which House Bill No 56 was passed and table the motion to reconsider.

The motion to table prevailed.

#### House Bill No. 41.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 41, A bill to be entitled "An Act to amend an Act passed at the Regular Session of the Thirty-third Legislature of the State of Texas, entitled 'An Act granting unto the municipal authorities of the City of Austin, Texas, the right to establish, operate and maintain a public municipal auditorium upon the tract of land bounded on the north by Fifth Street, on the south by Fourth Street, on the east by Guadalupe Street, and on the west by San Antonio Street, in the City of Austin, and changing the designation upon the map of the City of Austin of said tract from public square to public municipal auditorium,' so as to grant to the City of Austin for ninety-nine years the said land for a municipal auditorium and market, to hereafter read as follows, and declaring an emergency."

The committee report that the bill be printed in the Journal only was adopted.

Senator Hopkins offered the following amendment:

(1) Amend House Bill No. 41 by striking out "ninety-nine years" wherever it appears in the bill and insert in lieu thereof "twenty years."

Senator Caldwell moved to table the amendment, and the motion prevailed by the following vote:

## Yeas—13.

Bailey.	Decherd.
Bee.	Hudspeth.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Page.
Clark.	Parr.
Dayton.	Woodward.
Dean.	

## Nays—11.

Buchanan of Bell.	Robbins.
Henderson.	Smith.
Hopkins.	Strickland.
Johnson of Hall.	Suiter.
McCollum.	Westbrook.
McNealus.	

## Absent.

Floyd.	Harley.
Gibson.	King.

## Absent—Excused.

Alderdice.

## Pair Recorded.

Senator Lattimore (present), who would vote "nay;" Senator Hall (absent), who would vote "yea."

Senator Strickland offered the following amendment:

Amend House Bill No. 41 by striking out the enacting clause.

Senator Clark moved the previous question on the adoption of the amendment and the passage of the bill to its third reading, which being duly seconded, was ordered by the following vote:

## Yeas—20.

Bailey.	Hudspeth.
Bee.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	Page.
Clark.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Suiter.
Gibson.	Westbrook.
Henderson.	Woodward.

## Nays—5.

Buchanan of Bell.	McNealus.
Hopkins.	Strickland.
Johnson of Hall.	

## Absent.

Floyd.	Johnston of Harris.
Harley.	King.

## Absent—Excused.

Alderdice. Hall.

Action recurred upon the pending amendment, and the same was lost by the the following vote:

## Yeas—4.

Hopkins.	Strickland.
Johnson of Hall.	Suiter.

## Nays—21.

Bailey.	Johnston of Harris.
Bee.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Gibson.	Westbrook.
Henderson.	Woodward.
Hudspeth.	

## Present—Not Voting.

Buchanan of Bell.

## Absent.

Floyd.	King.
Harley.	

## Absent—Excused.

Alderdice. Hall.

The bill was read second time and passed to its third reading.

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 41 put on its third reading and final passage by the following vote:

## Yeas—21.

Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Gibson.	Suiter.
Henderson.	Woodward.
Hudspeth.	

## Nays—3.

Buchanan of Bell.	Strickland.
Hopkins.	

## Absent.

Floyd.	McCollum.
Harley.	Westbrook.
King.	



**Absent—Excused.**

Alderdice. Hall.

The bill was read third time.

Senator Strickland offered the following amendment:

Amend House Bill No. 41 by striking out "ninety-nine years" and inserting in lieu thereof "fifty years."

The amendment was lost by the following vote:

Yeas—6.

Buchanan of Bell. McNealus.  
Hopkins. Strickland.  
Johnson of Hall. Westbrook.

Nays—17.

Bailey. Hudspeth.  
Bee. McCollum.  
Buchanan of Scurry. Page.  
Caldwell. Parr.  
Clark. Robbins.  
Dayton. Smith.  
Dean. Suiter.  
Gibson. Woodward.  
Henderson.

Present—Not Voting.

Dechierd. Lattimore.  
Johnston of Harris.

Absent.

Floyd. King.  
Harley.

Absent—Excused.

Alderdice. Hall.

The bill was laid before the Senate, read third time and, on motion of Senator Caldwell, was passed finally.

Senator Caldwell moved to reconsider the vote by which House Bill No. 41 was passed and table the motion to reconsider.

The motion to table prevailed.

**Adjournment.**

At 6:45 o'clock p. m., on motion of Senator McNealus, the Senate adjourned until 10 o'clock tomorrow morning.

**APPENDIX.****Petitions and Memorials.**

Senators Gibson and Hall pre-

sented petition against the Full Crew Bill.

Senators Gibson, Page and Johnston sent up and had read telegrams against the Bee Textbook Bill.

Senators Bee and McCollum offered petition from Waco and Huntsville, Texas, supporting the Full Crew Bill.

Senator Page offered a memorial from the D. A. R. of Brenham requesting an appropriation of \$3000 for the King Highway D. A. R. Road.

Senators Hudspeth and Lattimore offered numerous signed petitions from Mary I. Keith Chapter D. A. R. asking for the appropriation for placing markers on the King's Highway.

Senators Johnson and Buchanan offered numerous signed petitions against the Sunday Amusement Bill.

**Committee Reports.**

Committee Room.

Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Educational Affairs to whom was referred

H. B. No. 35, A bill to be entitled "An Act to create the Dalton Common School District No. 82 of Ellis County with less than nine square miles of territory and providing for the government of said district and declaring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BEE, Chairman.

Committee Room,

Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Educational Affairs to whom was referred

H. B. No. 54, A bill to be entitled "An Act creating the Hemphill Independent School District No. 1, in Sabine County, Texas; defining its boundaries, giving trustees the powers imposed by the general laws of the State upon boards of trustees, providing for the issuing of bonds, building and maintaining schools, etc., declaring valid the maintenance

tax heretofore voted and bonds issued by said district, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BEE, Chairman.

(Floor Report.)

Senate Chamber.

Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Educational Affairs to whom was referred

H. B. No. 7, A bill to be entitled "An Act to create the Gorman Independent School District in Eastland County, Texas, including the territory of the Gorman Independent School District as heretofore constituted, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Bee, Chairman; Buchanan of Scurry, Gibson, Dean, Smith, Lattimore, Dayton, Page, Johnson of Hall, Decherd.

(Floor Report.)

Senate Chamber.

Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 29, A bill to be entitled "An Act to amend Chapter 33 of the Local and Special laws of the State of Texas, as follows, to wit: By adding thereto seven sections, said chapter being originally, 'An Act to create a more efficient road system for Bosque County, Texas, etc.,' and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Caldwell, Chairman; Clark, Smith, Buchanan of Scurry, Strickland.

(Floor Report.)

Senate Chamber.

Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Educational Affairs to whom was referred

H. B. No. 62, A bill to be entitled "An Act creating the Blooming Grove Independent School District, in Navarro County, Texas, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Bee, Chairman; Robbins, Gibson, Buchanan of Scurry, Dayton, Dean, Johnson of Hall, Decherd, Page, Floyd, Smith.

(Floor Report.)

Senate Chamber.

Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Educational Affairs to whom was referred

S. B. No. 63, A bill to be entitled "An Act creating the Cedar Bayou Independent School District in the counties of Harris and Chambers, State of Texas, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Bee, Chairman; Bailey, Page, Lattimore, Gibson, Decherd, Floyd, Smith, Buchanan of Scurry, Robbins, Dayton, Johnson of Hall, Dean.

Committee Room,

Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Educational Affairs to whom was referred

H. B. No. 43, A bill to be entitled "An Act adding to and making a part of the Reagan Independent School District in Falls County, Texas, including the town of Reagan, certain lands and territory adjoining thereto; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BEE, Chairman.

Committee Room.

Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Educational Affairs to whom was referred

H. B. No. 48, A bill to be entitled "An Act creating the Cedar Bayou Independent School District in the counties of Harris and Chambers, State of Texas; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BEE, Chairman.

(Floor Report.)

Senate Chamber.

Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Roads, Bridges and Ferries to whom was referred

S. B. No. 60, A bill to be entitled "An Act to amend Section 7, Chapter 6, of the Special Laws passed at the Regular Session of the Thirty-fourth Legislature, 1915, as amended by an Act passed at the Regular Session of the Thirty-fifth Legislature, 1917, and entitled an Act to create a more efficient road system for Wood County, etc.; providing a salary to be paid commissioners when acting as road commissioners and further providing that this Act shall be cumulative of the general law and special road laws of Wood County, and especially of the other provisions of said Act passed at the Regular Session of the Thirty-fifth Legislature, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Caldwell, Chairman; Strickland, Floyd, Clark, Smith, Gibson.

(Floor Report.)

Senate Chamber.

Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries to whom was referred

H. B. No. 21, A bill to be entitled "An Act to amend Section 14 of the Special Road Law for Houston County, passed by the Regular Session of the Thirty-fifth Legislature, approved March 8, 1917, so as to make the county road superintendent provided for in said Act ex officio chairman of the board of advisers of all 'special or bonded road districts' in said county that are now organized and such as may hereafter be organized, and to give him an equal voice in said board with any member thereof, and to add Section 14a so as to provide for the election of the members of said boards by the qualified voters of said special road districts, the first election to be held at the time of election of said county superintendent, viz: on July 21, 1917, said board to consist of four members, the first of the same to serve until the next general election for county officers in said county, and then said board to be elected at each such general election thereafter, and declaring an emergency."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Caldwell, Chairman; Strickland, Floyd, Clark, Smith, Gibson.

Committee Room.

Austin, Texas May 11, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on Finance to whom was referred

H. B. No. 13

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following committee amendments, and that said House bill be not printed either in bill form or in Journal, and that said committee amendments be not printed in the Journal or in bill form.

## Committee Amendments.

(1) Strike out of the caption the words, "Texas School for the Blind; Deaf and Dumb Institute."

(2) Strike out all after the enacting clause and insert in lieu thereof Senate Bill No. 11, after the enacting clause, a copy of said Senate Bill No. 11 being hereto attached.

HUDSPETH, Chairman.

Committee Room.

Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Educational Affairs to whom was referred

H. B. No. 25, A bill to be entitled "An Act creating the Crockett Independent School District in Houston County, Texas; etc., and declaring an emergency;"

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass, and not be printed.

BEE, Chairman.

## (Floor Report.)

Senate Chamber.

Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Towns and City Corporations, to who was referred

H. B. No. 69, A bill to be entitled "An Act to provide an annual vacation to paid firemen in cities of 30,000 inhabitants or over; providing that the city official having supervision of the fire department shall designate the days each fireman is to be on vacation; prescribing the penalties for the violation thereof; repealing Chapter 185 of the Acts of the Regular Session of the Thirty-fifth Legislature; and declaring an emergency;"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Johnston of Harris, Chairman; McNealus, Bee, McCollum, Page, Lattimore, Suiter.

## (Floor Report.)

Senate Chamber.

Austin, Texas, May 11, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 20, A bill to be entitled "An Act to appropriate certain sums of money out of the general funds of the State, not otherwise appropriated, for the fiscal years beginning September 1, 1917, and September 1, 1918, to be used for the purpose of the inspection and eradication of citrus canker and other dangerous diseases and pests now threatening the destruction of the citrus industry in this State, and in order to secure a like appropriation from the Federal Government for the same purpose,"

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass with the following committee amendments, and that it be not printed, but printed in the Journal.

Hudspeth, Chairman; Caldwell, Johnson of Hall, Westbrook, Clark, Hopkins, King, Bee, Page, Decherd, Johnston of Harris, Parr, Dean.

## Committee Amendments.

## No. 1.

Amend H. B. No. 20 by adding at the end of Section 1 the following: "And also to be used for the purpose of inspection and eradication of the pink boll worm threatening the destruction of the cotton industry in Texas."

## No. 2.

Amend H. B. No. 20 by adding Section 2 as follows:

Section 2. The importance of the subject matter of this Act, the near approach of the end of the session and the crowded condition of the calendar, creates an emergency and imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days in each house, and it is so suspended, and that this Act be in force and effect from and after the passage of this Act, and it is so enacted."

And also by adding at the end of the caption the words "And declaring an emergency."



By Canales, et al. H. B. No. 20

A BILL  
To be entitled

An Act to appropriate certain sums of money out of the general funds of the State, not otherwise appropriated, for the fiscal years beginning September 1, 1917, and September 1, 1918, to be used for the purpose of the inspection and eradication of citrus canker and other dangerous diseases and pests now threatening the destruction of the citrus industry in this State, and in order to secure a like appropriation from the Federal Government for the same purpose.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of twenty-four thousand (\$24,000.00) dollars, or so much thereof as may be necessary, is hereby appropriated out of the general funds of the State not otherwise appropriated, for the fiscal year beginning September 1, 1917, and a like sum is hereby appropriated for the fiscal year beginning September 1, 1918, to be used under the direction of the Texas State Department of Agriculture co-operating with the United States Department of Agriculture for the purpose of inspection and eradication of the citrus canker and other dangerous diseases and pests now threatening the destruction of the citrus fruit industry in this State.

(Floor Report.)

Senate Chamber.

Austin, Texas, May 8, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee, on Educational Affairs, to whom was referred

S. B. No. 54, A bill to be entitled "An Act to accept the benefits of an Act passed by the Senate and House of Representatives of the United States of America in Congress assembled for the promotion of vocational education; designating the State Treasurer as custodian for the reception and disbursement of all funds allotted to this State from the appropriations made by the Federal Act, designating and authorizing the State Board of Education to act in co-operating with the Federal Board

for Vocational Education in the administration of the provisions of said Act; making an appropriation of \$62,150.00, or so much thereof as may be necessary, for the scholastic year 1917-18, and an appropriation of \$91,105.00, or so much thereof as may be necessary, for the scholastic year 1918-19; providing compensation for appropriations by local boards or by the State in its educational budgets for the purposes of this Act; naming the conditions under which aid may be extended; and declaring an emergency."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal only.

Bee, Chairman; Gibson, Johnson of Hall, Page, Harley, Buchanan of Scurry, Floyd, Smith, Bailey, Dayton.

By Huspeth.

S. B. No. 54.

A BILL  
To be entitled

An Act to accept the benefits of an Act passed by the Senate and House of Representatives of the United States of America in Congress assembled for the promotion of vocational education; designating the State Treasurer as custodian for the reception and disbursement of all funds allotted to this State from the appropriation made by the Federal Act; designating and authorizing the State Board of Education to act in co-operation with the Federal Board for Vocational Education in the administration of the provisions of said Act; making an appropriation of \$62,150 or so much thereof as may be necessary, for the scholastic year 1917-18, and an appropriation of \$91,105.00, or so much thereof as may be necessary, for the scholastic year 1918-19; providing compensations for appropriations by the local boards or by the State in its educational budgets for the purposes of this Act; naming the conditions under which aid may be extended; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the State of Texas hereby accepts the provisions of the Act of Congress, approved February



23, 1917, entitled: "An Act to provide for the promotion of vocational education; to provide for co-operation with the States in the promotion of such education in agriculture and the trades and industries; to provide for co-operation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditures." The good faith of the State is hereby pledged to make available through appropriations for the several purposes of said Act funds sufficient at least to equal the sums allotted, from time to time, to this State for the appropriations made by said Act and to meet all conditions necessary to entitle the State to the benefits of said Act.

Section 2. The State Treasurer is hereby designated custodian of all funds allotted to this State from the appropriations made by said Act, and he shall receive and provide for the proper custody and disbursement of the same in accordance with this Act.

Section 3. That the State Board of Education is hereby designated and authorized, and is hereby given all necessary power, to co-operate, as provided in and required by the aforesaid Act of Congress with the Federal Board of Vocational Education in the administration of the provisions of said Act; and to do all things necessary to entitle the State to receive the benefits thereof.

Section 4. That there is hereby appropriated out of the money in the State Treasury not otherwise appropriated, for the scholastic year 1917-18, \$29,950.00, or so much thereof as may be necessary, to be used for salaries of teachers, supervisors, or directors of agricultural education in the public schools; \$11,000.00, or so much thereof as may be necessary for salaries of teachers, supervisors, or directors of trade, home economics and industrial subjects in the public schools; and \$21,200.00, or so much thereof as may be necessary, for training of teachers of vocational subjects in the public high schools and colleges of the State, to be conditional upon receiving a like sum from the Federal Board for Vocational Education to be used for similar purposes; and for the scholastic year 1918-19, \$44,925.00, or so much thereof as may be necessary, for salaries of teachers, supervisors, or directors of agricultural educa-

tion in the public schools; \$16,500.00 or so much thereof as may be necessary, for paying salaries of teachers, supervisors or directors of trade, home economics and industrial subjects in the public schools; \$29,680 or so much thereof as may be necessary, for training of teachers of vocational subjects in the public high schools and colleges of the State to be conditioned upon receiving a like sum from the Federal Board for Vocational Education, to be used for similar purposes.

Section 5. It is hereby expressly provided that all appropriations by local school boards for the purposes of this Act, and all appropriations by the State in its educational budgets that come within the provisions of this Act shall be allowed to compensate for the appropriations herein provided; and that the appropriations in this Act are simply a guarantee of good faith on the part of the State in the administration of the Federal Vocational Education Act; and are to be actually distributed in whole or in part by the State Board of Education only in case of necessity to preserve the good name of the State.

Section 6. That in order to secure the benefits of the appropriation for the purposes specified in this Act, plans shall be submitted to the State Board of Education showing the kinds of vocation for which it is proposed that the appropriation shall be used; the kinds of schools and equipment; courses of study; methods of instruction; qualifications of teachers; and in the case of agricultural subjects, the qualifications of supervisors or directors; plans for the training of teachers; and in the the case of agricultural subjects, plans for the supervision of agricultural education, as provided in the Federal Act. Such plans shall be prepared under the supervision of the State Superintendent of Public Instruction upon the form prescribed by the State Board of Education, and approved by the Federal Board of Education, and approved by the Federal Board for Vocational Education. It shall be the duty of the State Superintendent as secretary of the State Board of Education, to make a thorough investigation of each application submitted for aid under this Act, and the State Board of Education shall require his certificate that

each school applying for aid under this Act meets substantially the requirements of the law before aid in any amount is granted.

**Section 7.** That the fact that there is a great demand upon a part of the people for a law authorizing the granting of State aid for vocational purposes, and the further fact that present conditions warrant the State in emphasizing more strongly than ever before the necessity of encouraging agricultural, industrial and home economic subjects in the schools, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

#### Enrolling Committee Report.

Committee Room,  
Austin, Texas, May 11, 1917.  
Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 14 and find it correctly enrolled, and have this day at 4:20 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Harley.

S. B. No. 14.

An Act making an appropriation of seven hundred and fifty thousand dollars or so much thereof as may be necessary out of the general revenue or any other available funds, for the purpose of providing for the pay, transportation, subsistence and all other expenses of the military forces of the State when ordered on duty or when mobilized or when recruiting and organizing troops or when ordered on other military duties; providing for the pay, transportation and expense of officers on active duty or while serving on military courts or boards; providing for mileage and per diem and expenses of witnesses appearing before military courts and boards; providing for armory and storage facilities and organizations; providing for training, organizing, mobilizing and subsisting, paying, equipping, preparing for muster into and out of Federal

service; providing for organizing, maintaining and equipping school of instruction for officers or enlisted men; providing for books and supplies; providing for necessary chemical assistance and labor in storage rooms, arsenals, armories and headquarters; providing for transportation of stores and supplies and laundry and repair of uniforms and equipment, and for hire, purchase, transportation and subsistence of animals, and for printing, stationery, postage, telephoning, telegraphing, and for purchase of stores, supplies, uniforms, arms and equipment; providing the pay for the Adjutant General, chief clerk, stenographer, porter and other additional help in the Adjutant General's Department, and for stationery, printing, postage and other expenses of that department; providing for all other military expenses of whatsoever character; providing how accounts drawn against this fund shall be made out and by whom approved, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

**Section 1.** That as a measure of national and State preparedness, there is hereby appropriated out of the general revenue of the State of Texas seven hundred and fifty thousand dollars, or so much thereof as may be necessary for the purpose of affording protection or relief to the State of Texas, by providing for the pay, transportation, subsistence, and all other expenses of the military forces of the State, when ordered on duty or when mobilized for instruction, or in recruiting or organizing any and all troops, required under the National Defense Act, or when ordered on any other military duty; for pay, transportation and all other expenses of officers while on active duty or while serving on military courts or board or on other details; for mileage, per diem and other expenses of witnesses appearing before military courts and boards, which mileage and per diem shall be the same as that prescribed by the statutes of this State for witnesses attending the districts courts of this State in felony cases; for providing adequate and suitable storage and armory facilities for all headquarters and organizations of the military

forces of this State; for the purpose of training, organizing, mobilizing, transporting, subsisting, paying, equipping, preparing for muster into and out of Federal service, and for paying, subsisting, transporting and all other expenses of troops on and after muster out of Federal service; for pay, transportation, subsistence and all expenses in organizing and maintaining schools of instruction for officers or enlisted men and for the purchase or manufacture of textbooks and blank forms; and for the necessary clerical assistance and labor in storage rooms, arsenals, armories or headquarters; and for the transportation and storage of military stores and supplies; and for the laundry and repair of uniforms and equipment; and for the hire, purchase, transportation and subsistence of animals; and for printing, stationery, postage, telephoning, telegraphing; and for the purchase of military stores, supplies, uniforms, arms and equipment; and all other military expenses of whatsoever character; for the maintenance of the Adjutant General's Department, as follows:

Pay of the Adjutant General, \$3,600.00 per year; pay of chief clerk, \$1,800.00 per year; one stenographer, at \$1,200.00 per year; pay of porter, \$480.00 per year; and for such additional clerical force, not to exceed six clerks, who shall draw salaries not exceeding \$1,200.00 per year each, said clerks to be only retained for such times as their services may be absolutely necessary; and for stationery, postage, telegraphing, telephoning and all other expenses as may be necessary; provided that none of the funds herein appropriated shall be expended for equipment, training, organizing, mobilizing, transporting, subsisting, paying, purchasing equipment for, and mustering into the Federal service of any additional State troops until the units are designated to the proper State authorities by the proper authorities of the Federal Government, and provided further, that no part of the amount herein appropriated shall be in any wise spent for the Ranger service.

Section 2. Any and all amounts that may be expended as provided by this Act shall be paid only on itemized accounts sworn to by the party expending the same and showing the time, purpose and for what said

amount was expended and by whom which said itemized accounts shall be approved by both the Adjutant General and the Governor of Texas before their payment; provided that no part of the amount herein appropriated shall be paid out for any purpose other than as herein specifically provided; and provided further, that no deficiency shall be created, nor shall any warrants be issued or obligations incurred in excess of the amount herein appropriated; and the Comptroller of Public Accounts shall not issue warrants upon the State Treasury for any moneys expended under this Act until said itemized accounts have been filed in the Comptroller's office.

Section 3. The fact that the nation is now in a state of war and the fact that there is now no adequate financial provision for the prompt organization of the military forces of the State of Texas creates an emergency and an imperative public necessity, requiring that the constitutional rule requiring bills to be read on three several days be suspended and that this Act take effect from and after its passage and it is so enacted.

#### EIGHTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Saturday, May 12, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

By unanimous consent, the Chair announced that the Senate would stand at ease for fifteen minutes, at the expiration of which time the roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Johnson of Hall.
Bee.	King.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Henderson.	Westbrook.
Hudspeth.	Woodward.